

Message

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**From:** Beck, Nancy [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=168ECB5184AC44DE95A913297F353745-BECK, NANCY]  
**Sent:** 10/24/2017 3:27:28 PM  
**To:** Wilcox, Jahan [wilcox.jahan@epa.gov]; Lyons, Troy [lyons.troy@epa.gov]; Dravis, Samantha [dravis.samantha@epa.gov]  
**CC:** Bowman, Liz [Bowman.Liz@epa.gov]; Abboud, Michael [abboud.michael@epa.gov]; Ferguson, Lincoln [ferguson.lincoln@epa.gov]  
**Subject:** RE: Request for comment on Dourson's hiring

He is attending OCSPP meetings to help get up to speed on topics. He asks questions. My understanding is that he is advising the administrator, not OCSPP.

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Nancy B. Beck, Ph.D., DABT  
Deputy Assistant Administrator, OCSPP  
P: 202-564-1273

Deliberative Process / Ex. 5

[beck.nancy@epa.gov](mailto:beck.nancy@epa.gov)

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**From:** Wilcox, Jahan  
**Sent:** Tuesday, October 24, 2017 11:08 AM  
**To:** Lyons, Troy <lyons.troy@epa.gov>; Beck, Nancy <Beck.Nancy@epa.gov>; Dravis, Samantha <dravis.samantha@epa.gov>  
**Cc:** Bowman, Liz <Bowman.Liz@epa.gov>; Abboud, Michael <abboud.michael@epa.gov>; Ferguson, Lincoln <ferguson.lincoln@epa.gov>  
**Subject:** FW: Request for comment on Dourson's hiring

Do you know the answer to this question:  
But to follow up, what exactly is his current role and responsibilities as an advisor? Is he advising Administrator Pruitt on chemicals or his management of the Office of Chemical Safety and Pollution Prevention?

Add Ryan if you want but want to try to solve this without bothering him.

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**From:** Corbin Hiar [<mailto:chiar@eenews.net>]  
**Sent:** Tuesday, October 24, 2017 10:51 AM  
**To:** Hannah Northey <[hnorthey@eenews.net](mailto:hnorthey@eenews.net)>; Press <[Press@epa.gov](mailto:Press@epa.gov)>; Abboud, Michael <[abboud.michael@epa.gov](mailto:abboud.michael@epa.gov)>  
**Subject:** RE: Request for comment on Dourson's hiring

Thanks again for the comments on the Supreme Court ruling and Michael Dourson's ethics agreements.

But to follow up, what exactly is his current role and responsibilities as an advisor? Is he advising Administrator Pruitt on chemicals or his management of the Office of Chemical Safety and Pollution Prevention?

Also, what is covered by his ethics briefings and EPA guidelines? Will Dourson be bound by the same pledges he made to not work on, for example, matters involving the American Flame Retardant Alliance?

Any additional info you can provide before noon would be greatly appreciated.

Best, C

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**From:** Hannah Northey

**Sent:** Monday, October 23, 2017 1:53 PM

**To:** Corbin Hiar <[chiar@eenews.net](mailto:chiar@eenews.net)>; Press <[Press@epa.gov](mailto:Press@epa.gov)>; Abboud, Michael <[abboud.michael@epa.gov](mailto:abboud.michael@epa.gov)>

**Subject:** RE: Request for comment on Dourson's hiring

Just to follow up, we'd very much like to know if Mr. Dourson's work as an advisor is related in any way to chemicals or the EPA's chemical safety programs. It would also be great to know if the agency's general counsel is working with Mr. Dourson to ensure he doesn't violate the Vacancies Reform Act, something past advisors have had to deal with. We want to get the story right and provide context, so we do hope to hear from you by tomorrow morning, afternoon.

Thanks, Hannah Northey

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**From:** Corbin Hiar

**Sent:** Monday, October 23, 2017 1:07 PM

**To:** Press <[Press@epa.gov](mailto:Press@epa.gov)>; Abboud, Michael <[abboud.michael@epa.gov](mailto:abboud.michael@epa.gov)>

**Cc:** Hannah Northey <[hnorthey@eenews.net](mailto:hnorthey@eenews.net)>

**Subject:** Request for comment on Dourson's hiring

My colleague and I did an analysis of the Obama-era EPA officials that Michael cited to justify the hiring of Dourson and found a couple few key differences. First, all of the folks he listed below were either already at EPA when they assumed the duties of a position that required Senate confirmation or they were hired after the Environment and Public Works committee had signed off on their nomination. Also, the Supreme Court's March ruling on the National Labor Relations Board appointees has sharply restricted the situations in which someone can be hired to fill a job they've been nominated for.

As a result, we're planning to report that Dourson's hiring is both a break from recent precedent and potentially illegal. Does EPA have any comment on those findings? If so, please get back to us by 11 a.m. on Tuesday.

Thanks, C

**Corbin Hiar**

Chemicals Reporter

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**E&E NEWS**

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**From:** Abboud, Michael [<mailto:abboud.michael@epa.gov>]

**Sent:** Wednesday, October 18, 2017 4:23 PM

**To:** Sean Reilly <[sreilly@eenews.net](mailto:sreilly@eenews.net)>; Press <[Press@epa.gov](mailto:Press@epa.gov)>

**Subject:** RE: GILLIBRAND STATEMENT ON NEWS THAT TRUMP NOMINEE MICHAEL DOURSON IS ALREADY ADVISING EPA BEFORE BEING CONFIRMED BY SENATE

Hey Sean it's important to point out he already had a hearing. Additional background below:

EPA Appointee from previous administration who was nominated for a position and joined EPA in an advisor role **prior to Senate confirmation:**

Robert Perciasepe

EOD: 09/08/09

Title: Senior Advisor to the Administrator

Confirmed: 12/24/09

PAS Position: Deputy Administrator

EPA Appointees from previous administration who were nominated for a position and joined EPA in an advisor/different role but **never confirmed by the Senate:**

Stanley Meiburg

EOD: 10/02/14

Title: Senior Advisor to the Administrator

Nominated: 01/27/15

PAS Position: Deputy Administrator

Result: Not Confirmed/Nomination returned to President's desk

Janet McCabe

EOD: 11/09/09

Title: Principal Deputy Assistant Administrator for Air and Radiation

Nominated: 1<sup>st</sup> Nomination submitted 01/07/14; 2<sup>nd</sup> Nomination submitted 06/24/15

PAS Position: Assistant Administrator for Air and Radiation

Result: Not Confirmed/Nomination returned to President's desk

Thomas Burke

EOD: 01/11/15

Title: Deputy Assistant Administrator for Research and Development and Science Advisor

Nominated: 1<sup>st</sup> Nomination submitted 11/12/13; 2<sup>nd</sup> Nomination submitted 01/06/14; 3<sup>rd</sup> Nomination submitted 03/26/15

PAS Position: Assistant Administrator for Research and Development

Result: Not Confirmed/Nomination returned to President's desk

Kenneth Kopocis

EOD: 11/02/11

Title: Deputy Assistant Administrator for Water

Nominated: 1<sup>st</sup> Nomination submitted 06/13/11; 2<sup>nd</sup> Nomination submitted 03/13/13; 3<sup>rd</sup> Nomination submitted 01/06/14; 4<sup>th</sup> Nomination submitted 06/24/15

PAS Position: Assistant Administrator for Water

Result: Not Confirmed/Nomination returned to President's desk

Karl Brooks

EOD: 02/01/10 (as Regional Administrator for Region 7)

Title: Deputy Assistant Administrator for Administration and Resources Management (reassigned on 02/22/15 and left EPA in February 2016)

Nominated: 1<sup>st</sup> Nomination submitted 05/14/15

PAS Position: Assistant Administrator for Administration and Resources Management

Result: Not Confirmed/Nomination returned to President's desk

Ann Dunkin

EOD: 08/10/14 (as Senior Advisor to the Administrator)

Title: Chief Information Officer (reassigned 02/22/15)

Nominated: 1<sup>st</sup> Nomination submitted 01/30/14; 2<sup>nd</sup> Nomination submitted 02/15/15

PAS Position: Assistant Administrator for Environmental Information

Result: Not Confirmed/Nomination returned to President's desk

Jane Nishida (CAREER EMPLOYEE)

EOD: 01/30/11 (as Director, Office of Regional and Bilateral Affairs)

Title: Principal Deputy Assistant Administrator for International and Tribal Affairs (reassigned on 12/15/13)

Nominated: 1<sup>st</sup> Nomination submitted 04/07/14; 2<sup>nd</sup> Nomination submitted 02/12/15

PAS Position: Assistant Administrator for International and Tribal Affairs

Result: Not Confirmed/Nomination returned to President's desk

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**From:** Sean Reilly [<mailto:sreilly@eenews.net>]

**Sent:** Wednesday, October 18, 2017 4:12 PM

**To:** Press <[Press@epa.gov](mailto:Press@epa.gov)>

**Subject:** Fwd: GILLIBRAND STATEMENT ON NEWS THAT TRUMP NOMINEE MICHAEL DOURSON IS ALREADY ADVISING EPA BEFORE BEING CONFIRMED BY SENATE

Hi folks:

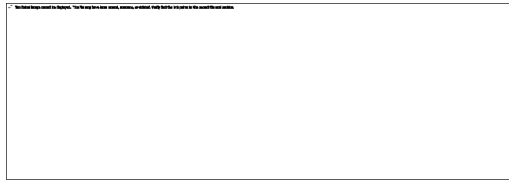
Please let me know if you have any on-the-record comment on Sen. Gillibrand's call for EPA to terminate its relationship with Mr. Dourson. Deadline is 7 p.m.

Sean Reilly  
E&E News

**Subject: RE: GILLIBRAND STATEMENT ON NEWS THAT TRUMP NOMINEE  
MICHAEL DOURSON IS ALREADY ADVISING EPA BEFORE BEING CONFIRMED  
BY SENATE**

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**Subject:** GILLIBRAND STATEMENT ON NEWS THAT TRUMP NOMINEE MICHAEL DOURSON IS ALREADY  
ADVISING EPA BEFORE BEING CONFIRMED BY SENATE



**FOR IMMEDIATE RELEASE:**

**Wednesday, October 18, 2017**

**Contact:** Whitney Brennan, 202-224-3873

**GILLIBRAND STATEMENT ON NEWS THAT TRUMP NOMINEE MICHAEL DOURSON IS ALREADY ADVISING EPA BEFORE BEING CONFIRMED BY SENATE**

Washington, DC – U.S. Senator Kirsten Gillibrand today released the following statement after learning that Michael Dourson, the nominee to be the Environmental Protection Agency's (EPA) top chemical regulator, has been advising the EPA despite not having been confirmed by the Senate:

*"Even after being forced to withdraw a toxic nominee from consideration to become Drug Czar, the Trump administration has no shame. In another shocking example of the fox guarding the henhouse, the President has nominated Michael Dourson to be the nation's top chemical regulator. I was stunned to learn that Mr. Dourson has already started working at the EPA before the Senate Environment and Public Works Committee and full Senate have even had the ability to vote on this controversial nominee.*

*"There is no way around it. Michael Dourson has spent his career helping chemical companies cover up deadly chemical contamination. His record of greenwashing the actions of chemical companies and placing their profits over the health and wellbeing of children is appalling. Because of his actions, the water that children drank, bathed in, and had their food cooked in was allowed to have unsafe levels of PFOA, a toxic chemical that is poisoning people in my state.*

*"Mr. Dourson was even paid to go out in public to defend a safety standard for PFOA that was 2,000 times weaker than the EPA's safety standard.*

*"The fact that he has already begun advising the EPA administrator shows contempt for the committee's role in his nomination process and more importantly a profound disrespect to the families who are terrified about what toxic chemicals are going to do to their children's health.*

*"The EPA should immediately terminate its relationship with Mr. Dourson until the nomination process is complete and my colleagues have voted on the record whether they are on the side of protecting chemical companies or protecting families. I will vote to protect families and reject this terrible nomination."*

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